

Serial No. 10/790,977

-9-

Docket No. 1232-5313**REMARKS**

Applicant respectfully requests reconsideration in view of the foregoing amendments and following remarks.

Status of Claims

Claims 1-14 are currently pending and have been rejected. Claim 1 has also been objected to for specified informalities. Claims 1, 10, 12 and 13 are independent in form and are herein amended.

Claim Objections

Claim 1 has been objected to for stated informalities. (See Office Action, page 2) Applicant has amended claim 1 as suggested by the Examiner and respectfully requests that this objection be withdrawn as it has hereby believed satisfied.

Claim Rejections

Claims 1-14 have been rejected under 35 U.S.C. §103 as allegedly being anticipated by U.S. Patent No. 6,260,972 to Robinson et al. ("Robinson") in view of U.S. Patent No. 5,589,726 to Gold. (Office Action, pp. 2-8.)

Applicant respectfully disagrees with the characterization of the pending claims and of the teachings attributed to the prior art in the stated rejections, and respectfully traverses these rejections.

Applicant has herein amended claims 1, 10, 12, and 13 to further clarify the claimed invention. No new matter has been added by these amendments to the claims.

More specifically, the amendments to independent claims 1, 10, 12, and 13 are directed to the structures of the mask as discussed, e.g., in Fig. 2 of the present application. As shown in Fig. 2, a mask (which is a light-blocking portion) 208d is opposed to a half-wave plate 208c.

Serial No. 10/790,977

-10-

Docket No. 1232-5313

Neither Robinson nor Gold, taken individually alone or in combination, teach or suggest the claimed mask opposed to a half-wave plate. In Robinson, mask 16 is not opposed to half-wave birefringent material 62 as shown in Fig. 5. That is, mask 16 is opposed to an area between the half-wave birefringent materials 62.

Thus neither Robinson nor Gold teach, individually or in combination, the structure of the mask in the present invention as claimed.

For at least the foregoing reasons, Applicant believes that the present invention as claimed is neither anticipated by nor rendered obvious in view of Robinson and/or Gold.

Dependent Claims:

Applicant has not independently addressed the rejections of the dependent claims because Applicant submits that, as the independent claims from which the dependent claims depend are believed allowable for at least the reasons discussed *supra*, the dependent claims are also believed allowable for at least similar reasons. Applicant, however, reserves the right to address such rejections should such response be necessary and appropriate.

Accordingly, the present invention as recited in independent claims 1, 10, 12 and 13 and the claims depending therefrom is believed neither anticipated by nor rendered obvious in view of, and thus patentably distinct over, Robinson or Gold or the other art of record, taken individually or in combination.

CONCLUSION

In view of the foregoing, the present invention as recited in the claims presented herein is believed patentably distinct over the art of record and Applicant respectfully requests that the respective rejections and objections be withdrawn. The application is believed to be hereby placed in condition for allowance, which action is respectfully requested.

Serial No. 10/790,977

-11-

Docket No. 1232-5313

If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

AUTHORIZATION

While no fees or extension of time are believed necessary for this Amendment, should an extension of time be required for the timely submission of this paper, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-5313.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: September 23, 2005By: 

Stephen Manetta
Registration No. 40,426

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile